

6. An entity cannot sue under a pseudonym but rather must sue under its own name, as the real party in interest. *In re S. Cent. States Bakery Prod. Antitrust Litig.*, 86 F.R.D. 407, 411 (M.D. La. 1980) (*citing* F.R.C.P. 17(a); *Petition of M/V Elaine Jones*, 480 F.2d 11, 25-26 (5th Cir. 1973), *cert. denied*, 423 U.S. 840, 96 S.Ct. 71, 46 L.Ed.2d 60 (1975)).

7. There is a “strong presumption against allowing parties to use a pseudonym.” *W.G.A. v. Priority Pharmacy. Inc.*, 184 F.R.D. 616, 617 (E.D.Mo.1999); *AB v. HRB Pro. Res. LLC*, No. 4:19-cv-00817-HFS, 2020 WL 12675330, at *1 (W.D. Mo. Dec. 31, 2020); *Doe v. New Prime, Inc.*, No. 6:23-CV-03278-RK, 2024 WL 623932, at *1 (W.D. Mo. Feb. 12, 2024).

8. Because Plaintiffs have failed to name themselves in the Petition for Damages, they have failed to state a claim upon which relief may be granted, pursuant to Fed. R. Civ. P. 12(b)(6).

9. The Court has stated that “it is clear that plaintiff’s original complaint using a false name fails to comply with Fed.R.Civ.P. 10(a) and is subject to dismissal.” *Doe v. Indiana Black Expo, Inc.*, 923 F. Supp. 137, 143 (S.D. Ind. 1996); *see also Zocaras v. Castro*, 232 F.R.D. 694, 698 (S.D. Fla. 2005), *aff’d*, 465 F.3d 479 (11th Cir. 2006).

10. Defendant has filed Suggestions in Support of this Motion, which are hereby incorporated by reference as if set forth fully herein.

WHEREFORE Defendant, GEICO CASUALTY COMPANY, hereby requests that this Court dismiss Plaintiff’s Petition for Damages, with prejudice, and for all further orders that it deems just and proper.

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served by the Court's electronic filing system, this 9th day of May, 2024, on the counsel of record listed below. In addition, the undersigned counsel certifies under the Federal Rules of Civil Procedure that he/she has signed the original of this Certificate and the foregoing pleading.

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